

cc:KSC

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

SEP 30 2009

at 10 o'clock and 52 min. A.M.
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
) Case No. CV08-000493 SOM KSC
Plaintiff,)
) DEFENDANTS' UNOPPOSED MOTION TO
v.) CONTINUE DEADLINE TO JOIN
) ADDITIONAL PARTIES; CERTIFICATE
MICHAEL WILLIAM FLAHERTY,) OF SERVICE
MARGARET RONA LEE FLAHERTY,)
BANK OF HAWAII, STATE OF HAWAII)
DEPARTMENT OF TAXATION)
)
Defendants.)
_____)

**DEFENDANT'S UNOPPOSED MOTION TO CONTINUE DEADLINE TO JOIN
ADDITIONAL PARTIES**

Defendant Michael William Flaherty, pro se, hereby respectfully requests the Court to extend one deadline set forth in the Court's February 9, 2009 Rule 16 Scheduling Order; the deadline to join additional parties. The Defendant respectfully requests the Court to continue the deadline to join additional parties to October 16, 2009.

The requested extension is based on several reasons. First, the parties to be joined have not responded to the United States' subpoenas for documents dated April 27, 2009 nor the subpoena issued May 5, 2009 and secondly, they have not responded to repeated telephone calls from the Defendant requesting them to respond to the subpoenas and lastly, they have not responded to

letters from the Defendant dated July 13, 2009 asking them to respond to the United States subpoenas.

The parties to be joined are the parties that sold stock to Defendant Michael William Flaherty. They have the records of both the purchase and sale of the stock at issue in this case. These companies had a duty to maintain such records, and to transmit this information to me upon request. In failing to maintain and supply these records, these companies are needlessly exposing Michael Flaherty to actual and substantial damage.

Defendant, Michael William Flaherty has contacted the United States, Margaret Rona Lee Flaherty, counsel for the Bank of Hawaii, and counsel for the State of Hawaii and there were no objections to this motion.

This unopposed motion is the first request to extend any of the case deadlines and is made in good faith and not for the purposes of delay.

WHEREFORE, Defendant Michael Flaherty respectfully requests that the Court extend the deadline to add parties up through and including October 16, 2009; for all such other and further relief as may be appropriate whether or not specifically prayed.

DATED this 23rd day of September, 2009.

Respectfully submitted,

By /s/ Michael William Flaherty
Michael William Flaherty, pro se

P.O. Box 1308
Kapaau, Hawaii 96755-1308

CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the **DEFENDANT'S UNOPPOSED MOTION TO CONTINUE DEADLINE TO JOIN ADDITIONAL PARTIES** was served on the following via email:

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September 23, 2009

Attorneys for the United States

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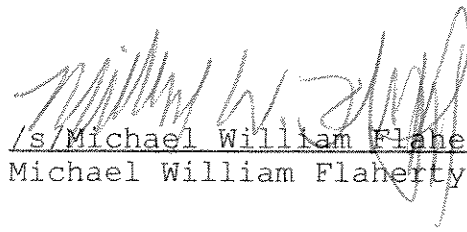
September 23, 2009

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September 23, 2009

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September 23, 2009



/s/ Michael William Flaherty
Michael William Flaherty, pro se